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SUBJECT: MEDIA CONSTRAINTS IN KURDISTAN: AN EDITOR'S VIEW

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REASON: 1.4 (b), (d)

¶1. (C) SUMMARY. The current editors of Hawlati, Kurdistan's most independent newspaper, (strictly protect) charge that Kurdish parties' dominance make press freedoms worse there than in the rest of Iraq. They said the government routinely monitored who met with foreign officials. They said the KRG had launched "dozens" of criminal defamation suits against newspapers (Articles 433 and 434). Since the parties controlled the judiciary, getting a favorable ruling was not a problem for the government. Politicians also pursue "private" libel suits against the press. The editors argued that the U.S. had made clear that all the U.S. needed from the KRG was stability. The Kurdish parties therefore saw they had a free hand on corruption and anti-democratic practices. They editors said politicians and the public saw the recent announcements about merging the two KRG's simply as window dressing. END SUMMARY.

¶2. (C) The current editor of Hawlati, Twana Othman, and its foreign page editor, Peshwaz Sa'abdullah (a recent graduate from the Columbia School of Journalism) (strictly protect throughout) charged that press freedoms were not as developed in the Kurdistan Region as they were in the rest of Iraq. Meeting with RC(A) February 7, they attributed this to the joint monopoly of power between the Kurdistan Democratic Party and Patriotic Union of Kurdistan, as opposed to competing parties in Baghdad. In Kurdistan, the parties were more successful in preventing information from getting out and, if it got out, preventing it from getting into the newspaper.

¶3. (C) While journalists hear rumors (the latest one being that the wife of KRG-Sulaymaniyah PM Omar Fattah was caught at Erbil airport leaving with \$5 million in cash when police insisted on checking her luggage), the editors complained journalists could not get enough confirmation to print stories. Leaks only came from low-level informants and higher officials prevented anyone from confirming a story. The government usually punished leaking officials by transferring them to lesser jobs. If a corruption story became too hard to contain, the government would let it come out so long as it was reported as merely a "bad apple" that the government was dealing with. The editors said journalists could not in practical terms write about the continuing systemic corruption. They said journalists' requests to visit prisons were always denied. They said the government routinely monitored who met with foreign officials.

¶4. (C) They said the KRG had launched "dozens" of suits

against newspapers under Articles 433 and Article 434 of Iraqi Law 111 of 1969 (criminal defamation). Since the parties controlled the judiciary, getting a favorable ruling was not a problem for the government. Judges would, for example, accept "private" libel suits by public officials while putting libel suits by others off to the indefinite future. They said KRG-S PM Omar Fattah was now pursuing a "private" suit against Hawlati. The paper had, believing it to be true, published that the PM had fired two communications ministry officials because they had failed to prevent an online provider from cutting service to the PM's house for nonpayment. The PM had sued for libel, saying that his communications minister had fired the officials, not the PM. The PM was demanding a large "fine" that would cripple the paper financially. He was demanding a front-page headline retraction before he would withdraw the case. They said a reporter was jailed for two days in Erbil in early 2005 in an Article 433 case. Many cases were filed to harass the paper but withdrawn as unwinnable.

15. (C) COMMENT. Hawlati is probably the most independent Kurdish newspaper. It has, unlike other papers, written on internal politics within both major Kurdish parties. The editors do not necessarily completely understand the distinction between criminal defamation and a civil lawsuit by a public official: they see both -- perhaps justifiably -- as government attempts at censorship. While the editors did not point to physical intimidation or other more direct means of dissuasion, we have not seen any newspaper reports in the KRG on human rights violations by the KRG, or about systemic governmental corruption. END COMMENT.

A DISILLUSIONED PUBLIC

16. (C) The two editors said that the KRG public was tired of the corruption and ineffectiveness of the major Kurdish parties who have governed the Kurdish region since its inception. The public had had high hopes of reform and democratization early

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after the war when CPA had taken over in Kurdish areas and the parties had been worried. The two editors argued that the U.S. early on had made clear, though, that all the U.S. needed from the KRG was stability. The parties therefore saw they had a free hand on corruption and anti-democratic practices. The editors said the parties had then made a point to show the public they had American support through pictures of visiting American dignitaries meeting senior Kurdish officials. The KDP and PUK were "like two brands of cigarettes: they are different, but in the end they both cause cancer." They said both politicians and the public saw the recent announcements about merging the two KRG's simply as window dressing.

17. (C) We asked about Hawlati's recent editorial apologizing to its readers for not criticizing America more. They gave various fumbling explanations (showing they are even handed; following public opinion; the U.S. was befriending the powerful rather than the public), but we will have to see whether this was a blip or the start of a pattern.

DEAN